

REMARKS

Claims 1-5, 7-11 and 13-17 have been amended. Claims 1-18 are currently pending in the case for examination.

The present invention relates to performing a least cost supply chain analysis using specific lane restriction to alter the analysis. In other words, the invention is designed to perform one or a series of potentially sub-optimized solutions driven by the specific business needs of the entity doing the analysis. Performing sub-optimized solutions is not something disclosed by O'Neill et al.

With specific reference to the claims and the specification, a lane is a supply route from a supplier FOB location to a distributor or other receipt point. Applicants' specification beginning at page 286 provides a discussion of lane restrictions, which may be excluded or forced, for various reasons related to business relationships or otherwise. With the one or more lane restrictions in place, it is then required by the claims to run a supply chain analysis to determine the least cost for the buyer, i.e., the distribution centers are involved in the analysis, but with conditions imposed based on the lane restriction. This calculation is a sub-optimization, because one or more of the FOB lanes has been restricted to thereby alter the normal least cost determination.

Claims 1-18 have been rejected under 35 USC 102(e) as being anticipated by O'Neill et al. (6,219,653). This rejection, as it may be applied to the amended claims, is respectfully traversed.

O'Neill et al. discloses a freight calculation system with buyer clients, seller clients, and trader clients, in the context of a trading exchange that uses profiles. The reference discloses calculating delivery costs between a selected buyer and seller. But nowhere in the reference have applicants been able to find the amended steps of applicants invention of, in combination with the distribution center displaying step, "designating a lane restriction for at least one distribution center.....and performing a supply chain least cost analysis involving the distribution centers based on the designation of the lane restriction." No reference to such a calculation based on a suboptimized configuration of variables is disclosed in the reference.

Claims 2-5, 8-11, and 14-17 set forth additional limitations relating to an entire supplier being excluded thereby resulting in all of the lanes from that supplier being excluded (claims 2, 8 and 14), the lane restriction being a required lane that is allocated prior in time to the least cost analysis (claims 3, 9, and 15), the lane restriction being an exclusion so that the

least cost analysis is run without this lane (claims 4, 10, and 16), and the given lane is designated as available for a solution (see page 287 of the specification) (claims 5, 11, and 17). O'Neill et al. does not disclose any least cost analysis being performed for a sub-optimized solution, much less under the claimed circumstances set forth in these dependent claims.

In view of the foregoing amendments and remarks, reconsideration and early passage to issue of this application is respectfully requested.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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